

Membership Balance Plan  
Board of Regents, Uniformed Services University of the Health Sciences

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, pursuant to 10 U.S.C. § 2113a and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established the Board of Regents, Uniformed Services University of the Health Sciences (“the Board”).
2. Mission/Function: The Board shall assist, in an advisory capacity, the Secretary of Defense in carrying out the Secretary’s responsibility to conduct the business of the Uniformed Services University of the Health Sciences (“the University”). The Board shall provide advice and recommendations on academic and administrative matters critical to the full accreditation and successful operation of the University.
3. Points of View: The Board, pursuant to 10 U.S.C. § 2113a(b), shall be composed of 15 members, appointed or designated as follows:
  - a. nine persons outstanding in the fields of health care, higher education administration, or public policy, who shall be appointed from civilian life by the Secretary of Defense;
  - b. the Secretary of Defense, or his designee, who shall be an *ex-officio* member;
  - c. the Surgeons General of the Uniformed Services, who shall be *ex-officio* members; and
  - d. the President of the University, who shall be a non-voting, *ex-officio* member.

Board members who are not *ex-officio* members shall be appointed by the Secretary of Defense and their appointments will be renewed on an annual basis according to established DoD policies and procedures.

Those members appointed by the Secretary of Defense from civilian life, provide their best judgment on the matters before the Board, based upon his or her individual professional experience, and he or she does so in a manner that is free from conflict of interest. Board members who are not full-time or permanent part-time Federal officers or employees will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Board members who are full-time or permanent part-time Federal officers or employees will serve as regular government employee (RGE) members pursuant to 41 C.F.R. § 102-3.130(a). In addition, the Department, unless otherwise required by statute or Presidential directive, does not use representative members on DoD established or supported advisory committees.

The DoD has found that viewing the complex issues facing the Department through a multidisciplinary advisory committee provides the Department and, more importantly, the American public with a broader understanding of the issues on which to base subsequent policy decisions.

4. Other Balance Factors: NA

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5. Candidate Identification Process: DoD, in selecting potential candidates for the Board, reviews the educational and professional credentials of individuals with extensive professional experience in the areas of health care, higher education administration, or public policy.

Potential candidates are identified by the Designated Federal Officer (DFO), in consultation with the Office of the Assistant Secretary of Defense for Health Affairs (ASD(HA)), and their professional staffs, as well as through recommendations by current members of the Board. Once potential candidates are identified, the DFO, in consultation with Assistant Secretary of Defense for Health Affairs, reviews the credentials of each individual and narrows the list of potential candidates. During the review, he or she strives to achieve a balance between the educational and professional credentials of the individuals and the anticipated subject matters to be reviewed by the Board to achieve expertise in points of view to be represented and functions to be performed. The ASD(HA), based on the recommendation of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), is the Secretary of Defense representative to the Board.

After the list of candidates has been narrowed, it is forwarded to the (USD(P&R) for further scrutiny and formal nomination to the Secretary of Defense or the Deputy Secretary of Defense. Prior to nominating the potential candidates, the list of candidates will undergo a review by the Office of the General Counsel for the Department of Defense and the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements, including compliance with the Board's charter and membership balance plan. Following this review, the USD(P&R) discusses his or her potential nominees with the Secretary of Defense or the Deputy Secretary of Defense and receives authority to proceed with the nominations.

Pursuant to DoD policy, only the Secretary or the Deputy Secretary of Defense can invite or approve the appointment of individuals to serve on DoD established or supported advisory committees and subcommittees. The Secretary of Defense or the Deputy Secretary of Defense may approve the appointment of members to the Board for a six-year term of service, except those Board members appointed to fill a vacancy occurring before the end of the term for which the predecessor was appointed will serve only until the end of such term. Board members may serve after the end of the term until a successor has taken the oath of office. No member may serve more than two consecutive terms of service without Secretary of Defense or Deputy Secretary of Defense approval. The USD(P&R), as the Board's Sponsor, is authorized to administratively certify the appointment of Board members that were previously approved by the Secretary or Deputy Secretary of Defense.

Following approval or authorization to proceed with the appointment by the Secretary of Defense or the Deputy Secretary of Defense, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members who are appointed as SGE members.

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Membership vacancies for the Board will be filled in the same manner as described in the previous five paragraphs above.

6. Subcommittee Balance: DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board.

The Secretary of Defense or the Deputy Secretary of Defense approves the appointment of subcommittee members for one-to-four year terms of service with annual renewals; however, no member, unless authorized by the Secretary, may serve more than two consecutive terms of service. Individuals considered for appointment to any subcommittee of the Board may come from the Board itself or from new nominees, as recommended by the USD(P&R) and based upon the subject matters under consideration, but they must be approved by the Secretary of Defense or the Deputy Secretary of Defense and administratively certified by the USD(P&R) before participating in any subcommittee work.

Subcommittee members, if not full-time or permanent part-time Federal officers or employees, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Those individuals who are not full-time or permanent part-time Federal officers or employees shall serve as RGE members pursuant to 41 C.F.R. § 102-3.130(a).

7. Other: As nominees are considered for appointment to the Board, the DoD adheres to the Office of Management and Budget's Revised Guidance on Appointment of Lobbyists to Federal Committees, Boards, and Commissions (79 FR 27482; August 13, 2014) and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared/Updated: May 2, 2015